



General Assembly

January Session, 2011

***Raised Bill No. 1045***

LCO No. 3720

\* \_\_\_\_\_SB01045KIDPH\_030411\_\_\_\_\_\*

Referred to Committee on Select Committee on Children

Introduced by:  
(KID)

***AN ACT PROVIDING HOMELESS YOUTHS AND EMANCIPATED  
MINORS ACCESS TO BIRTH CERTIFICATES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 7-36 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2011*):

3 As used in this chapter and sections 19a-40 to 19a-45, inclusive,  
4 unless the context otherwise requires:

5 (1) "Registrar of vital statistics" or "registrar" means the registrar of  
6 births, marriages, deaths and fetal deaths or any public official charged  
7 with the care of returns relating to vital statistics;

8 (2) "Registration" means the process by which vital records are  
9 completed, filed and incorporated into the official records of the  
10 department;

11 (3) "Institution" means any public or private facility that provides  
12 inpatient medical, surgical or diagnostic care or treatment, or nursing,  
13 custodial or domiciliary care, or to which persons are committed by  
14 law;

15       (4) "Vital records" means a certificate of birth, death, fetal death or  
16 marriage;

17       (5) "Certified copy" means a copy of a birth, death, fetal death or  
18 marriage certificate that (A) includes all information on the certificate  
19 except such information that is nondisclosable by law, (B) is issued or  
20 transmitted by any registrar of vital statistics, (C) includes an attested  
21 signature and the raised seal of an authorized person, and (D) if  
22 submitted to the department, includes all information required by the  
23 commissioner;

24       (6) "Uncertified copy" means a copy of a birth, death, fetal death or  
25 marriage certificate that includes all information contained in a  
26 certified copy except an original attested signature and a raised seal of  
27 an authorized person;

28       (7) "Authenticate" or "authenticated" means to affix to a vital record  
29 in paper format the official seal, or to affix to a vital record in electronic  
30 format the user identification, password, or other means of electronic  
31 identification, as approved by the department, of the creator of the  
32 vital record, or the creator's designee, by which affixing the creator of  
33 such paper or electronic vital record, or the creator's designee, affirms  
34 the integrity of such vital record;

35       (8) "Attest" means to verify a vital record in accordance with the  
36 provisions of subdivision (5) of this section;

37       (9) "Correction" means to change or enter new information on a  
38 certificate of birth, marriage, death or fetal death, within one year of  
39 the date of the vital event recorded in such certificate, in order to  
40 accurately reflect the facts existing at the time of the recording of such  
41 vital event, where such changes or entries are to correct errors on such  
42 certificate due to inaccurate or incomplete information provided by the  
43 informant at the time the certificate was prepared, or to correct  
44 transcribing, typographical or clerical errors;

45       (10) "Amendment" means to (A) change or enter new information

46 on a certificate of birth, marriage, death or fetal death, more than one  
 47 year after the date of the vital event recorded in such certificate, in  
 48 order to accurately reflect the facts existing at the time of the recording  
 49 of the event, (B) create a replacement certificate of birth for matters  
 50 pertaining to parentage and gender change, or (C) change a certificate  
 51 of birth, marriage, death or fetal death to reflect facts that have  
 52 changed since the time the certificate was prepared, including, but not  
 53 limited to, a legal name change or a modification to a cause of death;

54 (11) "Acknowledgment of paternity" means to legally acknowledge  
 55 paternity of a child pursuant to section 46b-172;

56 (12) "Adjudication of paternity" means to legally establish paternity  
 57 through an order of a court of competent jurisdiction;

58 (13) "Parentage" includes matters relating to adoption, gestational  
 59 agreements, paternity and maternity;

60 (14) "Department" means the Department of Public Health; [and]

61 (15) "Commissioner" means the Commissioner of Public Health or  
 62 the commissioner's designee; and

63 (16) "Certified homeless youth" means a person under eighteen  
 64 years of age who is a homeless child or youth, as defined in 42 USC  
 65 11434a, as amended from time to time, and has been certified as  
 66 homeless by (A) a school district homeless liaison, (B) the director of an  
 67 emergency shelter program funded by the United States Department  
 68 of Housing and Urban Development, or the director's designee, or (C)  
 69 the director of a runaway or homeless youth basic center or  
 70 transitional living program funded by the United States Department of  
 71 Health and Human Services, or the director's designee.

72 Sec. 2. Subsection (a) of section 7-51 of the general statutes is  
 73 repealed and the following is substituted in lieu thereof (*Effective*  
 74 *October 1, 2011*):

75 (a) The department and registrars of vital records shall restrict  
 76 access to and issuance of a certified copy of birth and fetal death  
 77 records and certificates less than one hundred years old, to the  
 78 following eligible parties: (1) The person whose birth is recorded, if  
 79 over eighteen years of age, or if a certified homeless youth or a minor  
 80 emancipated pursuant to section 46b-150b; (2) such person's children,  
 81 grandchildren, spouse, parent, guardian or grandparent; (3) the chief  
 82 executive officer of the municipality where the birth or fetal death  
 83 occurred, or the chief executive officer's authorized agent; (4) the local  
 84 director of health for the town or city where the birth or fetal death  
 85 occurred or where the mother was a resident at the time of the birth or  
 86 fetal death, or the director's authorized agent; (5) attorneys-at-law and  
 87 title examiners representing such person or such person's parent,  
 88 guardian, child or surviving spouse; (6) members of genealogical  
 89 societies incorporated or authorized by the Secretary of the State to do  
 90 business or conduct affairs in this state; (7) agents of a state or federal  
 91 agency as approved by the department; and (8) researchers approved  
 92 by the department pursuant to section 19a-25. Except as provided in  
 93 section 19a-42a, access to confidential files on paternity, adoption,  
 94 gender change or gestational agreements, or information contained  
 95 within such files, shall not be released to any party, including the  
 96 eligible parties listed in this subsection, except upon an order of a court  
 97 of competent jurisdiction.

98 Sec. 3. Section 46b-150d of the general statutes is repealed and the  
 99 following is substituted in lieu thereof (*Effective October 1, 2011*):

100 An order that a minor is emancipated shall have the following  
 101 effects: (1) The minor may consent to medical, dental or psychiatric  
 102 care, without parental consent, knowledge or liability; (2) the minor  
 103 may enter into a binding contract; (3) the minor may sue and be sued  
 104 in such minor's own name; (4) the minor shall be entitled to such  
 105 minor's own earnings and shall be free of control by such minor's  
 106 parents or guardian; (5) the minor may establish such minor's own  
 107 residence; (6) the minor may buy and sell real and personal property;

108 (7) the minor may not thereafter be the subject of (A) a petition under  
 109 section 46b-129 as an abused, dependent, neglected or uncared for  
 110 child or youth, (B) a petition under section 46b-128 or 46b-133 as a  
 111 delinquent child for any act committed before the date of the order, (C)  
 112 a petition under section 46b-149 alleging that the minor is a child from  
 113 a family with service needs, or (D) a petition under section 46b-150f  
 114 alleging that the minor is a youth in crisis; (8) the minor may enroll in  
 115 any school or college, without parental consent; (9) the minor shall be  
 116 deemed to be over eighteen years of age for purposes of securing an  
 117 operator's license under section 14-36 and a marriage license under  
 118 subsection (b) of section 46b-30; (10) the minor shall be deemed to be  
 119 over eighteen years of age for purposes of registering a motor vehicle  
 120 under section 14-12; (11) the parents of the minor shall no longer be the  
 121 guardians of the minor under section 45a-606; (12) the parents of a  
 122 minor shall be relieved of any obligations respecting such minor's  
 123 school attendance under section 10-184; (13) the parents shall be  
 124 relieved of all obligation to support the minor; (14) the minor shall be  
 125 emancipated for the purposes of parental liability for such minor's acts  
 126 under section 52-572; (15) the minor may execute releases in such  
 127 minor's own name under section 14-118; [and] (16) the minor may  
 128 enlist in the armed forces of the United States without parental  
 129 consent; and (17) the minor may access or obtain a birth certificate  
 130 under section 7-51, as amended by this act.

131 Sec. 4. Section 46b-150d, as amended by section 91 of public act 09-7  
 132 of the September special session, is repealed and the following is  
 133 substituted in lieu thereof (*Effective July 1, 2012*):

134 An order that a minor is emancipated shall have the following  
 135 effects: (1) The minor may consent to medical, dental or psychiatric  
 136 care, without parental consent, knowledge or liability; (2) the minor  
 137 may enter into a binding contract; (3) the minor may sue and be sued  
 138 in such minor's own name; (4) the minor shall be entitled to such  
 139 minor's own earnings and shall be free of control by such minor's  
 140 parents or guardian; (5) the minor may establish such minor's own

141 residence; (6) the minor may buy and sell real and personal property;  
 142 (7) the minor may not thereafter be the subject of (A) a petition under  
 143 section 46b-129 as an abused, dependent, neglected or uncared for  
 144 child or youth, (B) a petition under section 46b-128 or 46b-133 as a  
 145 delinquent child for any act committed before the date of the order, or  
 146 (C) a petition under section 46b-149 alleging that the minor is a child  
 147 from a family with service needs; (8) the minor may enroll in any  
 148 school or college, without parental consent; (9) the minor shall be  
 149 deemed to be over eighteen years of age for purposes of securing an  
 150 operator's license under section 14-36 and a marriage license under  
 151 subsection (b) of section 46b-30; (10) the minor shall be deemed to be  
 152 over eighteen years of age for purposes of registering a motor vehicle  
 153 under section 14-12; (11) the parents of the minor shall no longer be the  
 154 guardians of the minor under section 45a-606; (12) the parents of a  
 155 minor shall be relieved of any obligations respecting such minor's  
 156 school attendance under section 10-184; (13) the parents shall be  
 157 relieved of all obligation to support the minor; (14) the minor shall be  
 158 emancipated for the purposes of parental liability for such minor's acts  
 159 under section 52-572; (15) the minor may execute releases in such  
 160 minor's own name under section 14-118; [and] (16) the minor may  
 161 enlist in the armed forces of the United States without parental  
 162 consent; and (17) the minor may access or obtain a birth certificate  
 163 under section 7-51, as amended by this act.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2011</i>	7-36
Sec. 2	<i>October 1, 2011</i>	7-51(a)
Sec. 3	<i>October 1, 2011</i>	46b-150d
Sec. 4	<i>July 1, 2012</i>	46b-150d

***KID***

***Joint Favorable C/R***

***PH***